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9 ***Attorney for Defendant* MICKEY GINES**

10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA)	Case No.: 2:13-cr-355-GMN-CWH
)	
13 Plaintiff,)	STIPULATION TO CONTINUE
)	SENTENCING HEARING
14 vs.)	
)	NINTH REQUEST
15 MICKEY GINES,)	
)	
16 Defendant.)	
)	

17 IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre, Acting
18 United States Attorney, by and through Daniel J. Cowhig, Assistant United States Attorney, and
19 Defendant Mickey Gines, by and through his counsel, Mace J. Yampolsky, Esq., that:

- 20 1. Defendant Mickey Gines' Sentencing Hearing, currently scheduled for September
21 28, 2017, at the hour of 11:00 a.m., be continued for a minimum of six months, to
22 be determined by the convenience of the Court.
- 23 2. The parties met and conferred today, September 19, 2017. The parties agree the
24 sentencing of Defendant Gines is not yet ripe. The parties request the Court
25 continue sentencing for approximately six months.
3. The Defendant is out of custody and agrees to continuance of the sentencing
hearing.

1 4. The Defendant waives any right he might have to speedy sentencing in this matter.

2 5. Additionally, denial of this request for continuance could result in a miscarriage of
3 justice.

4 6. This is the ninth request to continue sentencing in this case.

5 7. Defense and Government counsel agree that the proposed continuance is sought in
6 good faith and not for purposes of delay.

7 DATED this 19th day of September, 2017.

8 OFFICE OF THE U.S. ATTORNEY

MACE J. YAMPOLSKY, LTD.

9 /s/ Daniel J. Cowhig

/s/ Mace J. Yampolsky

10 Daniel J. Cowhig
11 Assistant United States Attorney

Mace J. Yampolsky, Esq.
Counsel for Defendant Gines

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

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1 7. Defense and Government counsel agree that the proposed continuance is sought in
2 good faith and not for purposes of delay.

3 **CONCLUSIONS OF LAW**

4 Based on the fact that the parties met and conferred on September 19, 2017, and the parties
5 agree the sentencing of Defendant Gines is not yet ripe, and based on the fact that counsel for the
6 parties do not object to the continuance, and based on the fact that denial of this request for
7 continuance could result in a miscarriage of justice; the Court hereby concludes that:

- 8 1. The ends of justice are served by granting said continuance since the failure to grant
9 said continuance would be likely to result in a miscarriage of justice.

10 **ORDER**

11 IT IS THEREFORE ORDERED that the sentencing currently scheduled for September
12 28, 2017, at the hour of 11:00 a.m. be vacated and continued to
13 Friday, March 30, 2018 at 10:00 a.m. in Courtroom 7C.

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17 UNITED STATES DISTRICT JUDGE
18 DATED: September 21, 2017
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